

MINUTES OF MEETING
RUSH RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
MAY 10, 2010

The Rush River Water Resource District met on May 10, 2010, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Raymond Wolfer, Chairman; William A. Hejl, Manager; Keith Monson, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Kimberly Bomstad, Accounting Tech/Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Jeff Volk, Engineer for the Board; Dane Larsen, property owner in Reed Township and Greg Nelson, property owner in Erie Township.

Rush River Watershed Detention Site Study

Jeff Volk reviewed a cost estimate for the Rush River Watershed Detention Site Study. It was moved by Manager Hejl and seconded by Manager Wolfer to authorize Moore Engineering, Inc. to proceed with the Rush River Watershed Detention Site Study, contingent upon approval of cost share from the State Water Commission and the Red River Joint Water Resource District. Upon roll call vote, the motion carried unanimously.

Application to Drain with Drain Tile #3515 for Greg Nelson in Section 24 of Erie Township

It was moved by Manager Hejl and seconded by Manager Monson to approve and adopt responses of the Water Resource District Engineer to the 8 elements under Section 89-02-01-09.2 with regard to *Application to Drain with Drain Tile #3315* for Greg Nelson in Section 24 of Erie Township and that said application be approved, without the necessity for a public hearing, subject to the conditions attached by the State Engineer's office, and subject to the following conditions:

- That applicant obtain and record (with the Cass County Recorder's Office) an easement (and not just written consent), including flowage easement and language permitting saline water, from the owners of the Northwest Quarter of Section 24 in Erie Township;
- That applicant obtain written permission from the owner of any land, besides land he owns, on which the tile system will be constructed;
- That applicant provide and maintain adequate erosion protection at the outlet; and

- That applicant obtain all other necessary and requisite licenses, permits, registrations, and/or approvals from all applicable federal, state, county, and municipal governments, and any other applicable governmental entities.

Upon roll call vote, the motion carried unanimously.

Drain #13 extensions

Chairman Wolfer said property owners would like to extend Drain #13 in Sections 13 through 16 and in Sections 20 through 24 of Berlin Township. A North Cass and Rush River Joint Water Resource District meeting was scheduled for May 11, 2010, at 5:45 p.m. at the Cass County Highway Department to discuss the matter.

Request for a culvert through Cass County Highway 32 between Sections 24 and 25 of Berlin Township

Dane Larsen requested a culvert through Cass County Highway 32 between Sections 24 and 25 of Berlin Township. The matter will be discussed at the North Cass and Rush River Joint Water Resource District meeting on May 11, 2010.

Fargo-Moorhead Metropolitan Feasibility Study

Chairman Wolfer would prefer the proposed North Dakota Diversion alignment not utilize Drain #13. He said this is the area where he sees the most negative impact. He would like to see Drain #13 stay as it is. Mr. Volk explained that the water surface profile in the channel alignment is lower than the water there today, upon open channel conditions.

Manager Wolfer would like to see each of the Cass County Water Resource Districts have a vote, rather than one vote for the Cass County Joint Water Resource District, on the Board that is formed as a result of the Joint Powers Agreement relating to the project. Manager Hejl added that the Cass County Joint Water Resource District should be the project sponsor.

Sean Fredricks discussed access issues relating to the project.

Manager Monson suggested constructing low water crossings where the channel intersects township roads.

Minutes

It was moved by Manager Hejl and seconded by Manager Monson to approve the minutes of the April 12, 2010, meeting. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Monson and seconded by Manager Hejl to approve payment of Checks #3425 through #3432 and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Wolfer, Hejl and Monson. The Chairman declared the motion carried.

Designation of depositories of Rush River Water Resource District public funds

It was moved by Manager Monson and seconded by Manager Hejl to add Bremer Bank to the list of depositories of Rush River Water Resource District public funds. Upon roll call vote, the motion carried unanimously.

Adjournment

There being no further business to be considered by the Board, it was moved by Manager Monson, seconded by Manager Wolfer and unanimously carried to adjourn the meeting.

APPROVED:

Raymond Wolfer
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer